



Crl.O.P.No.6313 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6313 of 2025

Varudharaj

... Petitioner/ accused

Vs.

The State represented by,
The Inspector of Police,
B-4, High Court Police Station,
Chennai City.
(Crime No.02 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.02 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.Dhasarathan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

For Intervenor : Mr.I.Calvin Jones

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 21.01.2025, seeking bail in Crime No.02 of 2025 registered for the offence under Sections 75(1)(iv), 78, 79 and 351(3) of BNS [under Sections 354A, 354D, 509, 506(2) of IPC].



Crl.O.P.No.6313 of 2025

WEB COPY

2. The case of the prosecution is that, defacto complainant is a lawyer by professions and she is conducting Law Awareness Programme in the social media; that petitioner followed the defacto complainant in the social media; that he had sent inappropriate messages to her and also proposed his love to the defacto complainant and thereafter continuously disturbed her; that he has posted a post in the social media as if the defacto complainant is his wife. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that petitioner is a lorry driver and that the messages sent by him to the defacto complainant is by mistake; that he undertakes not to send such messages in the future; that the petitioner is a single parent and he has to take care of his minor child; that, the petitioner is in custody from 21.01.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.



Crl.O.P.No.6313 of 2025

WEB COPY

4. Learned Counsel for the defacto complainant/intervenor submitted that the petitioner is continuously harassing the defacto complainant and also posted a post in the social media as if the defacto complainant is his wife.

5. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that there is no previous case.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Considering, the fact that the mobile phone of the petitioner has been seized, the period of incarceration; and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Metropolitan**



Crl.O.P.No.6313 of 2025

Magistrate -VII, George Town, Chennai and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Namakkal and report before Inspector of Police, Namakkal Town Police Station everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;



WEB COPY



CrI.O.P.No.6313 of 2025

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

[g] the petitioner shall file an affidavit before the trial Court that, without prejudice to his defence, that he will not send any message to the defacto complainant and will not indulge in any such activities in future.

11.03.2025

Sma

To

1. Metropolitan Magistrate -VII, George Town, Chennai
- 2.The Inspector of Police,
B-4, High Court Police Station,
Chennai City.
3. The Superintendent,
Central Prison, Puzhal.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.6313 of 2025

SUNDER MOHAN., J.

Sma

Crl.O.P.No.6313 of 2025

11.03.2025